

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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Jason P. Novack, <i>et al.</i> ,	:	
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Petitioners,	:	No. 2:24-cv-06531-KBH
	:	
v.	:	
	:	
Commonwealth of Pennsylvania, <i>et al.</i> ,	:	Honorable Kelley Brisbon Hodge J.
	:	
Respondents.	:	
	:	

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**MEMORANDUM OF LAW IN SUPPORT OF MOTION TO FILE  
EXHIBIT UNDER SEAL FILED ON BEHALF OF RESPONDENT, PROJECT HOME**

*AND NOW*, comes Respondent, Project HOME (hereinafter “Defendant” or “Project HOME”), by and through its undersigned counsel, and submits this Memorandum of law in Support of Project HOME’s Motion to File Exhibit Under Seal.

**I. Introduction and Procedural Background**

Petitioners are residents of Sacred Heart Recovery Residence, a residence operated by Project HOME as a respite home for individuals experiencing homelessness and a long-term residence for individuals suffering from substance abuse. Petitioners “John Doe” and “Jane Doe” seek to remain anonymous pursuant to the Daniel Anderl Judicial Security and Privacy Act of 2022, Pub.L. 117-263, § 5931, *et seq.* Project HOME denies that Petitioners are entitled to remain anonymous and has moved to strike the “John Doe” and “Jane Doe” designations.

As part of its Motion to Dismiss the Petition for Review, Project HOME has identified a closed-circuit video of the incident upon which Petitioners’ claims are based. This video unambiguously refutes the claims raised in the Petition. As the video shows the faces of “John Doe” and “Jane Doe,” Project HOME now seeks to file the video under seal under the Court

rules on the underlying question of whether the Daniel Andeul Judicial Security and Privacy Act of 2022 applies.

### **III. Legal Argument**

Pursuant to FED. R. CIV. P. 5.2(d), “The court may order that a filing be made under seal without redaction. The court may later unseal the filing or order the person who made the filing to file a redacted version for the public record.” While Project HOME has redacted the faces of “John Doe” and “Jane Doe” in its Motion to Dismiss, it is not feasible to redact the faces from the entirety of the video. Further, as Project HOME believes that there is no basis for “John Doe” and “Jane Doe” to proceed anonymously, this filing should be temporary.

### **V. Conclusion**

In light of the foregoing, Project HOME respectfully requests that the Court grant it leave to file Exhibit “C” to the Motion to Dismiss under seal.

Respectfully submitted,

**COHEN VAUGHAN, LLP**

By: /s/ *Rufus A. Jennings*

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